

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWELFTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI JUSTICE G.BIKSHAPATHY

AND

THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION NO : 9409 of 2005

Between:

Mittagadapala Subrahmanyam, S/o. M.Juvvaiah, R/o. Budanam Village &
Post, Chillakuru Mandal, Nellore District.

..... PETITIONER

AND

1. The Superintendent of Post Offices, Gudur Postal Division, Gudur.
2. The Director of Postal Services, Vijayawada Region, Vijayawada.
3. The Postmaster General, Vijayawada Region, Vijayawada.
4. Smt.E.Neeraja, W/o. E.Venkataramanaiah, Gudur Postal Division, Nellore District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue appropriate writ, order or direction more particularly in the nature of writ of Certiorari calling for the records pertaining to Order in O.A.No.79 of 2002, dated 10.12.2004 directing the respondents to finalise the selection for the post of GDS/Branch Postmaster, Budanam Branch Office, pursuant to the notification, dated 24.12.2001 and quash the same as arbitrary, illegal, contrary to law and unconstitutional and declare the same as void, ab initio, null and void and non-est in the eye of law.

Counsel for the petitioner: Mr. Sanka Ramakrishnarao

Counsel for the Respondents: Standing Counsel for Central Government

The Court at the admission stage made the following :

ORDER: (PER GB.J.,)

1) This writ petition is filed assailing the order passed in O.A.No.79 of 2002, dated 10.12.2004 on the file of the Central Administrative Tribunal, Hyderabad.

2) Fourth respondent herein filed the said O.A. stating that the review petition for regularization is pending and in the meanwhile, direct recruitment is taking place. Therefore, he sought appropriate direction. The Tribunal disposed of the said O.A. with a direction that the respondent authorities may go ahead with the selection pursuant to the impugned notification but the selection shall not be given effect to in case the review preferred by the regular incumbent is still pending. In view of the relief granted by the Tribunal, we do not find that the petitioner is in any way prejudiced.

3) Under those circumstances, the writ petition is dismissed at the admission stage.
No costs.

G.BIKSHAPATHY.J.,

P.S.NARAYANA.J.,

Dt.12.04.2005

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To

1. The Superintendent of Post Offices, Gudur Postal Division, Gudur.
2. The Director of Postal Services, Vijayawada Region, Vijayawada.
3. The Postmaster General, Vijayawada Region, Vijayawada.
4. 2 CCs to the G.P. for Services.
5. 2 C.D.Copies.